

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
12 CVS 3029

THE INSTITUTE FOR SOUTHERN
STUDIES, INC. d/b/a CAROLINA
PUBLIC PRESS; GANNETT PACIFIC
CORPORATION d/b/a ASHEVILLE
CITIZEN-TIMES; GREEN LINE MEDIA,
INC. d/b/a MOUNTAIN XPRESS;
WESTERN NORTH CAROLINA PUBLIC
RADIO, INC. d/b/a WCQS; and SINCLAIR
BROADCAST GROUP, INC. d/b/a
WLOS-TV,

Plaintiffs,

v.

CITY OF ASHEVILLE and BUNCOMBE
COUNTY DISTRICT ATTORNEY'S
OFFICE,

Defendants.

FILED
2012 SEP 13 PM 3:00
BUNCOMBE COUNTY, C.S.C.
BY JMA

**ORDER GRANTING BUNCOMBE COUNTY DISTRICT
ATTORNEY'S OFFICE MOTION TO DISMISS**

THIS CAUSE came on to be heard before the undersigned Superior Court Judge presiding upon the Motion to Dismiss of the named Defendant "Buncombe County District Attorney's Office." Said Motion was filed August 24, 2012, pursuant to Rule 12(b)(2), Rule 12(b)(4), Rule 12(b)(5), Rule 12(b)(7); Rule 9, Rule 17 of the North Carolina Rules of Civil Procedure to dismiss said matter. The Court having considered the arguments of counsel presented to the Court on September 4, 2012, as well as the pleadings, affidavits, and law presented by counsel for all parties, and it appears to the Court that the Motion to Dismiss should be allowed.

The Court, in its discretion, denies the Motion made on the day of said hearing by Plaintiffs to amend their pleadings.

IT IS NOW THEREFORE ORDERED that the Complaint is hereby dismissed as to the named Defendant, "Buncombe County District Attorney's Office" since there is no such entity.

This the 13th day of September, 2012.



Bradley B. Letts, Judge Presiding